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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/298,538	04/22/1999	FRANCIS JAMES CANOVA, JR.	15886-210	2146

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EXAMINER

NELSON, ALECIA DIANE

ART UNIT	PAPER NUMBER
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2675

DATE MAILED: 09/30/2002

17

Please find below and/or attached an Office communication concerning this application or proceeding.

PRG

**Office Action Summary**

Application No.

09/298,538

Applicant(s)

CANOVA, ET AL.

Examiner

Alecia D Nelson

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --****Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 10 July 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) 1,6,16,26,28-30 and 32-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1,6,16,26,28-30,32-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

2. *Claims 1, 6, 16, and 26* are rejected under 35 U.S.C. 103(a) as being unpatentable over Samuels (U.S. Patent No. 5,270,821) in view of Engholm et al. (U.S. Patent No. 6,229,456) and Ike (U.S. Patent No. 5,153,756).

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With reference to **claims 1 and 16**, Samuels teaches a processor (24) disposed in a video display apparatus (10) receiving an activation signal for viewing parameter control from a first input mechanism, the activation signal corresponds to a interaction with the first input mechanism (see column 11, lines 39-45). Responsive to the activation signal, a program displaying graphical user interface elements adapted for viewing parameter control on the image screen (see column 4, lines 18-21), the processor receiving an adjustment signal indicating adjustment from prior values of the viewing parameter to new values of the viewing parameter (see column 4, lines 22-25), and responsive to receiving the adjustment signal, the processor adjusting the values of the viewing parameter for the image screen to the new value (see column 4, lines 26-36).

Samuels fails to specifically teach the usage of a portable computer in which the detected interaction between the user and one of the user interface elements includes detecting contact on the image screen at a location corresponding to where one of the user interface elements is being displayed, wherein the location of the contact determining the new value of the viewing parameter, and that the adjustment of the viewing parameter is carried out by adjusting the image screen drive voltages being applied to the pixels to the new values and thereby adjusting the image. Samuels also fails to specifically teach that the user interface elements includes detecting continuous contact on the image screen from a first location corresponding to the prior value to a second location corresponding to the new value. However, in convention scroll devices, the movable slider is permitted to be moved by the user "clicking" on the slider, holding the mouse

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button, and moving the mouse in the appropriate direction thereby providing continuous control of the slider.

Engholm et al. teaches a method and apparatus for facilitating user interaction with a measurement instrument display a control knob glyph corresponding to a user adjustable parameter of the measurement instrument (see abstract). It is taught that interaction with the control knob glyph can be made in any of a wide variety of conventional manners, such as by use of a cursor or pointer and cursor control device, or by use of a touch screen (see column 5, lines 13-17). Indicator (406) can be selected by pressing down on a mouse button while a cursor or pointer is over indicator (406), or by a user "touching" the indicator with a finger on a touch screen. The position of indicator (406) can then be changed by dragging the indicator, while the indicator is selected through drag area (404). Indicator (406) can then be de-selected by releasing the mouse button, or by the user lifting his or her finger from the touch screen (see column 5, lines 40-48). Engholm et al. teaches the displayed controller is a knob as opposed to a slider as in the claimed invention, however it would be obvious for the displayed controller to be a knob, slider, or scroll bar to be displayed as they are all well known in the

Ike teaches a liquid crystal display apparatus which detects and regulates its display contrast. The contrast detecting unit (4) detects a difference between the inputted voltage or current signals from the pair of photosensors (3a, 3b), and it produces a converted electric signal according to the detected difference to a voltage control unit (5). The voltage control unit (5) operates according to the inputted electrical signal so as to control an output voltage of a

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stabilized power supply unit (6). The stabilized power supply unit (6) is constructed to supply a drive voltage to be applied to the liquid crystal display panel (2) (see column 2, lines 14-24). The control unit (5) operates to control the drive voltages applied to the liquid crystal display panel.

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to combine a voltage control unit receptive of a signal for producing a control signal effective to control a drive voltage applied to the liquid crystal display unit, as taught by Ike, to a portable device with on-screen video display adjustment, as taught by Samuels, to thereby provide a portable touch panel device with a user displayed controller, as taught by Engholm et al., with contrast control in which the intensity difference is substantially maximized to thereby provide an optimum contrast of the display.

3. *Claims 6, 26, and 32-35* are rejected under 35 U.S.C. 103(a) as being unpatentable over Samuels in view of Engholm et al. and Ike as applied to **claims 1 and 16** above, and further in view of Carroll et al. (U.S. Patent No. 6,121,960).

With reference to **claim 32**, Samuels, Engholm et al. and Ike teach all of the limitations which are similar to that of **claims 1 and 16**, however none of the references teach the portable device being in a lower power state until any one of a plurality of input mechanisms is actuated and there after switching the computer to a higher power state. With reference to **claim 33**, Bertram et al. teaches that the displayed track slider (94) for adjusting a value of a viewing

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parameter includes displaying a slider (92) that can be moved amongst a plurality of positions (see abstract).

Carroll et al. teaches that in a alternate embodiment, voice commands can also be used to activate the touch screen itself so that the portable device does not turn on by one of the buttons being pressed accidentally (see column 11, lines 43-45). Thereby it is suggested that pressing any one of a plurality of input mechanisms on the touch display of the portable device will change the power state from a lower power state (off) to a higher power state (on).

With reference to **claims 6 and 26**, Carroll et al. further teaches a screen peripheral system including a computing device for producing a main image and a touch-activated input device for generating and displaying a composite image visible to a user, in which variable-pixel controls, can be provided to change the thickness, brightness of the keyboard representation (see column 4, lines 10-17), the keyboard representing one group of pixels. It is also taught that contrast adjustment buttons are preferably represented on the touch screen itself to adjust the contrast between the keyboard and the main screen (see column 4, lines 25-30).

Carroll et al. fails to specifically teach that the one group of pixels covers less than approximately twenty-percent of the image screen or more then eighty-percent. However it is taught by Carroll et al. That twenty-five percent of the pixels are used to represent the keyboard and seventy-five percent of the pixels are used to represent the main image (see column 5, lines 39-44), and it is further stated that the keyboard, or the one group of pixels, can be moved and the percentage areas changed (see column 11, lines 56-57).

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With reference to **claims 34 and 35**, Samuels teaches that once parameters are chosen and stored for a given frequency, they can be retrieved and employed by the microcontroller on starting up the video display. Also, a number of different parameter sets can be stored, such that changing video display frequencies automatically restores the appropriate parameter set without further user input. Since all parameters are stored digitally, display parameters can be easily reset to factory standards if desired (see column 3, lines 13-23).

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to combine that which is taught by Carroll et al. to that which is taught by Samuels and Ike to thereby provide a portable computer apparatus in which the contrast of the one group of pixels can be changed without altering the rest of the display. This would thereby provide the user with the ability to make these adjustments accordingly and to also improve accuracy of drive voltages applied to the liquid crystal.

### ***Conclusion***

4. Any response to this action should be mailed to: Commissioner of Patents and Trademarks Washington, D.C. 2023; or faxed to: (703) 308-9051, (for formal communications intended for entry) or: (703) 308-6606 (for informal or draft communications, please label "PROPOSED" or "DRAFT"). Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

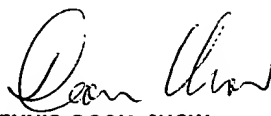


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alecia D. Nelson whose telephone number is (703)305-0143 between the hours of 8:00 a.m and 5:00 p.m. on Monday-Friday.

If attempts to reach the above examiner by telephone are unsuccessful, the examiner's supervisor, Steve Saras, can be reached at (703)305-9720.

and/AND  
September 26, 2002

  
DENNIS-DOON NEW  
PRIMARY EXAMINER